

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. beneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

and for which a patent application:

☒ is attached hereto

☐ was filed in the United States on as Application No. (for declaration not accompanying application)

with amendment(s) filed on (if applicable)

☐ was filed as PCT international Application No. _____ on _____

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION | | | |
|--|---------|--------------------------------------|--|
| APPLICATION NUMBER | COUNTRY | DATE OF FILING (day, month, year) | PRIORITY CLAIMED |
| | | | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| | | | YES <input type="checkbox"/> NO <input type="checkbox"/> |

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

| APPLICATION NUMBER | FILING DATE |
|--------------------|-------------|
| | |
| | |

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| APPLICATION SERIAL NO. | FILING DATE | STATUS | | |
|------------------------|-----------------|----------|---------|-----------|
| | | PATENTED | PENDING | ABANDONED |
| PCT/CH98/00425 | October 5, 1998 | | X | |

POWER OF ATTORNEY: As a named inventor, I hereby appoint S. Leslie Misrock (Reg. No. 18872), Harry C. Jones, III (Reg. No. 20280), Berj A. Terzian (Reg. No. 20060), David Weid, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poussant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palix (Reg. No. 25510), Thomas E. Friebe (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Allan A. Fanucci (Reg. No. 30256), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannon (Reg. No. 32110), Bruce J. Barker (Reg. No. 33291), Adriane M. Antler (Reg. No. 32605), Thomas G. Rowan (Reg. No. 34419), James G. Markey (Reg. No. 31636), Thomas D. Kohler (Reg. No. 32797), Scott D. Stimpson (Reg. No. 33607), Gary S. Williams (Reg. No. 31066), William S. Galliani (Reg. No. 33885), Ann L. Givoff (Reg. No. 31956), Todd A. Wagner (Reg. No. 35399), Scott B. Familant (Reg. No. 35514), Kelly D. Talcott (Reg. No. 39582), Francis D. Cerrito (Reg. No. 38100), Anthony M. Insoigna (Reg. No. 35202), Brian M. Rothery (Reg. No. 35340), Brian D. Siff (Reg. No. 35679), and Alan Tenenbaum (Reg. No. 34939), all of Pennie & Edmonds LLP (PTO Customer No. 20583), and each of them, my attorneys, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith, provided that, if any one of these attorneys ceases being affiliated with the law firm of Pennie & Edmonds LLP as partner, counsel, or employee, then the appointment of that attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

| SEND CORRESPONDENCE TO: | | PENNIE & EDMONDS LLP 1155 Avenue of the Americas New York, N.Y. 10036-2711 | | DIRECT TELEPHONE CALLS TO: PENNIE & EDMONDS LLP DOCKETING (212) 790-2803 | |
|-------------------------|-------------------------|--|-----------------|--|------------------------|
| 201 | FULL NAME OF INVENTOR | LAST NAME | MARK | FIRST NAME | MIDDLE NAME |
| | RESIDENCE & CITIZENSHIP | CITY | Davos Dorf | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP |
| | POST OFFICE ADDRESS | STREET | Bündastrasse 9 | CITY | STATE OR COUNTRY |
| | | | | Davos Dorf | CH |
| | | | | | ZIP CODE |
| | | | | | 7260 |
| 202 | FULL NAME OF INVENTOR | LAST NAME | BÜSCHER | FIRST NAME | MIDDLE NAME |
| | RESIDENCE & CITIZENSHIP | CITY | Davos Dorf | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP |
| | POST OFFICE ADDRESS | STREET | Dorfstrasse 29b | CITY | STATE OR COUNTRY |
| | | | | Davos Dorf | CH |
| | | | | | ZIP CODE |
| | | | | | 7260 |
| 203 | FULL NAME OF INVENTOR | LAST NAME | | FIRST NAME | MIDDLE NAME |
| | RESIDENCE & CITIZENSHIP | CITY | | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP |
| | POST OFFICE ADDRESS | STREET | | CITY | STATE OR COUNTRY |
| | | | | | ZIP CODE |
| 204 | FULL NAME OF INVENTOR | LAST NAME | | FIRST NAME | MIDDLE NAME |
| | RESIDENCE & CITIZENSHIP | CITY | | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP |
| | POST OFFICE ADDRESS | STREET | | CITY | STATE OR COUNTRY |
| | | | | | ZIP CODE |
| 205 | FULL NAME OF INVENTOR | LAST NAME | | FIRST NAME | MIDDLE NAME |
| | RESIDENCE & CITIZENSHIP | CITY | | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP |
| | POST OFFICE ADDRESS | STREET | | CITY | STATE OR COUNTRY |
| | | | | | ZIP CODE |
| 206 | FULL NAME OF INVENTOR | LAST NAME | | FIRST NAME | MIDDLE NAME |
| | RESIDENCE & CITIZENSHIP | CITY | | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP |
| | POST OFFICE ADDRESS | STREET | | CITY | STATE OR COUNTRY |
| | | | | | ZIP CODE |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| | | |
|---------------------------|---------------------------|---------------------------|
| SIGNATURE OF INVENTOR 201 | SIGNATURE OF INVENTOR 202 | SIGNATURE OF INVENTOR 203 |
| <i>Mark</i> | <i>Büscher</i> | |
| DATE | DATE | DATE |
| 22.01.2001 | 30.1.2001 | |
| SIGNATURE OF INVENTOR 204 | SIGNATURE OF INVENTOR 205 | SIGNATURE OF INVENTOR 206 |
| | | |
| DATE | DATE | DATE |
| | | |